



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

APR 02 2015

Ms. Melissa Davis
Tribal Chairperson
Cedarville Rancheria
300 West First Street
Alturas, CA 96101

RE: U.S. EPA Indian Environmental General Assistance Program (GAP) Grant
GA00T43501-2
Application Due: MAY 07 2015

Dear Chairperson Penn:

I am pleased to inform you that your grant proposal submitted to this office under the U.S. Environmental Protection Agency's Indian Environmental General Assistance Program (GAP) has been tentatively approved for funding. At this time, I am setting aside \$114,432 of funding to support your GAP for one year. An additional \$40,658 has been tentatively set aside for supplemental activities as follows: a) \$12,583 to increase FTE of the Environmental Assistant position by 312 hours (.15 FTE) for the grant year only, b) \$3,500 to support contractual assistance to teach Rancheria personnel to write progress reports, c) \$3,200 to support contractual assistance for helping Rancheria personnel develop outreach and education plans; d) \$7,000 of contractual support to assist Rancheria personnel in overhauling the Tribe's Integrated Solid Waste Management Plan; and f) \$14,375 to remodel office space. The total tentative award for your GAP is \$155,090.

However, the Rancheria has a \$30,000 grant balance. Funds awarded to Cedarville last year were based on a proposed 92% indirect cost rate. The actual accepted rate was 44.39%. Since the Tribe has a \$30,000 grant balance as a result of this indirect cost rate change, the tentative award of new funding for 2015-2016 will be reduced to **\$125,090**. Please use that figure when developing your SF-424 Budget Summary and Application.

Although your SF-424 Budget Summary and Application should reflect only \$125,090 of new tentative funding to the Tribe, please prepare a budget breakdown showing how the entire \$155,090 will be utilized. To avoid confusion with how much new funding the Tribe will be receiving, please ensure the budget breakdown is not provided on a SF-424 form. A grant balance budget sample is attached. It shows how new funds and unspent grant funds should be combined into a single budget breakdown.

Work plan submission, negotiation, and approval will be conducted electronically in GAP Online. The comments attached here for your reference are also available in GAP Online. If we receive your complete application and an approvable revised work plan by the due date we will make every effort to award the grant by September 26, 2015. This funding will support work plan activities from September 26, 2015 through September 25, 2016.

This letter does not constitute a grant award. In order to receive funding, the Community will need to complete an Application for Federal Assistance (SF-424). **The complete application, including an approvable work plan, must be submitted for EPA review by the due date indicated above.** Materials can be submitted earlier and will be processed on a first come, first served basis. Please note that in completing your application, you will need to enter the GAP Catalog of Federal Domestic Assistance Number (CFDA), required in box #11 on the SF-424A application form; the GAP CFDA number is 66.926.

New Process for Submitting Your GAP Grant Application

Effective February 17, 2015, EPA grant applicants must use Grants.gov to submit their applications. The Grants.gov registration process can take up to 30 days to complete. Therefore, it is highly recommended that EPA applicants complete their registration on Grants.gov now. Also, your organization's registration in SAM.gov must be active to utilize Grants.gov. If it appears that the grants.gov registration process may prevent you from submitting your application by the due date aforementioned, then please contact Support@grants.gov or call 1-800-518-4726 as support is available 24 hours a day and 7 days a week. You should also notify your Project Officer before the application due date to request an extension.

Please review both Attachment 2 (Grants.gov Instructions Guide) and Attachment 3 (Region 9 Guidance Information for Applicants) or go to <http://www.epa.gov/region9/funding/information.html> to find additional resources on Grants.gov, Federal Regulations, and new EPA requirements. We suggest you forward these materials to your Project Manager, Financial Officer and any other personnel in your organization requiring this information.

I look forward to working with you and your staff under the General Assistance Program. Questions regarding completion of application forms should be referred to Darlene Fernandez, Grants Management Specialist, at (415) 972-3664. You can also contact your GAP Project Officer, Tim Wilhite, at (530) 841-4577 if you have questions regarding this letter, the workplan or the General Assistance Program.

Sincerely,



Laura M. Ebbert
Manager
Tribal Program Office

Enclosures

1. Work Plan Comments
2. Grants.gov Instructions Guide
3. Region 9 Guidance Information for Applicants
4. Grant Balance Budget Sample

cc: Denise Pollard, EPA Director (with work plan comments)
Nikki Munholand, Administrator

GAP 2015-2016 Work Plan and Budget Comments Cedarville Rancheria

Thank you for developing an outcome-oriented work plan. The following observations and requests were written with the intent of strengthening the Rancheria's GAP work plan, identifying possible assistance, and ensuring the work plan meets GAP guidelines. These comments pertain to the 2015-2016 work plan that was submitted with your GAP proposal in GAP Online in December 2014. Some of the following information is for your general reference, and some is specific to the proposed work plan. Please ensure applicable comments are addressed in your final GAP work plan in GAP Online.

GENERAL DEFINITIONS AND REFERENCES

1. The following references are useful for understanding GAP in general, for getting a feel for environmental outcomes, etc.
 - 2013 Guidance on the Award and Management of General Assistance Program Agreements and Appendix I, Guidebook for Building Tribal Environmental Program Capacity (<http://www.epa.gov/tribal/GAP-guidance-final.pdf>)
 - GAP Act (<http://www.epa.gov/Indian/pdfs/4368b.pdf>)
 - 2015 GAP Grant Notification (<http://www.epa.gov/region09/funding/tribal-gap.html>)
 - EPA Strategic Plan (http://www2.epa.gov/sites/production/files/2014-09/documents/epa_strategic_plan_fy14-18.pdf)
2. Environmental outcomes should be expressed in terms of improvements to public health, the environment, or human behavior. They can also reflect improved tribal capacity to protect public health or the environment. Intermediate outcomes could reflect a) improved human health or environmental conditions, b) reduced risks to human health or the environment c) increased tribal capabilities in legal, enforcement, technical, communication, or administrative areas. Long-term outcomes could include attainment of desired environmental conditions (e.g., water quality standards are met) or human health goals, or attainment of desired capacity to plan, develop, implement, manage and sustain tribal environmental programs.
3. Please ensure that each component in your work plan contains one or more capacity indicators that appropriately link to proposed commitments. Capacity indicators should be placed in the "Measures" section of each component (or simply at the component level for PPGs), or at the bottom of commitment descriptions. More information on the appropriate use of indicators is found on page 13 of the GAP Guidance. A suite of indicators that the Rancheria may consider for inclusion in its work plan is contained in Appendix I of the GAP Guidebook
4. Greening Grants Policy: EPA Region 9 has adopted a Greening Grants Policy which encourages grantees to carry out their EPA grant funded projects in a greener way. Your Project Officer will work with you to determine whether it is feasible to incorporate green practices into your work plan. The Greening Grants Policy includes an attachment which describes many useful green practices. The policy furthers the objectives of EPA's 2011-15 Strategic Plan. The link to Greening Grant Policy is on the Region 9 Website Homepage, <http://www.epa.gov/region9/funding/greening-grants.html>
5. Regarding Indirect Costs (IDC):
 - Cedarville is allowed to budget against their most recent IDC rate because it has been approved within the preceding three fiscal years. However, the Rancheria cannot request reimbursements for indirect costs until a current IDC agreement is in place. If the Rancheria's IDC rate is not

current at the time of grant award, a term and condition will be placed in the grant agreement requiring Cedarville to notify the EPA and pay back any overfunded amounts if necessary.

BUDGET COMMENTS

- Please provide a final budget and work plan that matches the amount of funds being offered.
- The funding we are offering is intended to provide Cedarville an opportunity to support an Environmental Director for 1,768 hours (.85 FTE) and an Environmental Assistant for 624 hours (.30 FTE). Funds are also expected to provide \$4,000 to support travel needs, \$14,375 to remodel office space, \$3,500 to support contractual assistance to teach Rancheria personnel how to write progress reports, \$3,200 to support contractual assistance for helping Rancheria personnel develop outreach and education plans, and \$7,000 of contractual support to assist Rancheria personnel in overhauling the Tribe's Integrated Solid Waste Management Plan. Please ensure the Rancheria submits a final budget that matches our intent. If the Rancheria anticipates they will not be able to submit a final budget that matches our expected level of support in the personnel, travel and contractual cost categories, please contact your Project Officer to discuss alternatives.
- The final budget will need to identify the type of work that will be conducted using contractors. One way to show that is to indicate which components contractors may work under and what type of work they will perform.

WORK PLAN COMMENTS

General Comments

1. Some component descriptions are written similar to commitments. Component descriptions could be shortened to provide only an overview of the types of activities contained in them. For example, the description for Component 1 could be similar to the following: "This component include basic activities required to keep a program functioning, including efforts to meet reporting requirements, organize files, maintain an efficient work space, obtain funding, etc. ".
2. The work plan indicates who is responsible for completing activities, in many instances. However, that information is lacking in some commitments. Please ensure each commitment indicates who will lead and who will support work plan activities. When work is not clearly assigned to specific individuals, it tends to slip through the cracks.
3. Many commitments are not sufficiently detailed, or sound like goals or statements, as opposed to commitments. Consider writing every commitment in the work plan in the exact same form. That approach would be easier than customizing the structure of each commitment and will ensure consistency throughout the work plan. A winning formula is to ensure each commitment indicates why specific activities are needed and who will do what, where, when, and how often to get the work accomplished.
4. Please embed indicators in each component *Measures* field or in each commitment *Description* field. Your indicators are currently provided in the component *Intermediate Outcomes* field. Outcomes are required and should be expressed in terms of improvements to public health, the environment, or human behavior (see bullet 2 under GENERAL DEFINITIONS AND REFERENCES). Some, but not all indicators would conform to that definition.
5. Two common components are not present in your work plan: *Consultation and Coordination*, and *Outreach and Education*. If you feel the Rancheria will delve into either of those themes, please add them as components to your work plan

Component 1. Management of Environmental Office

- We recommend adding a commitment to calendar all work plan activities. The calendar should be developed within the first two weeks of the quarter and should have the effect of helping staff complete commitments on time, set aside time for working with Council, etc.
- Please add a commitment to indicate the Rancheria will provide an interim Federal Financial Status Report.

Commitment 1.1 This commitment must describe a joint evaluation process as required by 40 CFR Part 35.115.

Commitment 1.2 The training part of this commitment is under-stated and may be more appropriate in Component 2. Please provide more detail and consider moving the training portion to Component 2. A simple list of all grants researched, applied for, and received (including amounts) would be a good deliverable. The list could be a stand-alone document or embedded (in final form) in the body of your fourth quarter report.

Commitment 1.3 This commitment focuses on training, which is also covered in Component 2. We recommend deleting this commitment, and covering training in Component 2.

Commitment 1.4 Since this commitment has been accomplished under your current work plan, please remove it here. The task should be added to your current work plan.

Commitment 1.5 Outreach and Education is not a great fit for this component. Since the Rancheria is receiving funds to hire a contractor to assist with outreach and education, create a separate component for that subject. The component should have multiple commitments, and each would need to contain much more detail than what is provided here.

Component 2. Establish Core Administrative Capacity

- The component description sounds like a commitment. Consider re-writing (see General Comment 1).

Commitment 2.1 More detail is needed here. Please see General Comments 2.

Commitment 2.2 More detail is needed. See General Comments 2. This task should identify what training will be pursued, including training that will be provided onsite by your contractor.

Commitment 2.3 This is a good idea, but please provide a little more detail. The end date for this should be ~ 10/15/2015. Training plans need to be developed very early in the grant cycle to be most effective.

Commitment 2.4 More detail is needed. See General Comments 2.

Component 3. Establish Core Financial Management Capacity

Commitment 3.1 A little more detail is needed. Please see General Comments 2 and ensure the task focuses on what grant-funded personnel are to accomplish.

Commitment 3.2. A little more detail is needed. Please see General Comments 2 and ensure the task focuses on what grant-funded personnel are to accomplish.

Commitment 3.3 More detail is needed. See General Comments 2.

Commitment 3.4 More detail is needed. See General Comments 2.

Commitment 3.5 Indirect cost pool employees are responsible for negotiating indirect cost rate agreements. If the ED or EA have a role in that process, please describe their roles. Otherwise, this task can be deleted.

Commitment 3.6 More detail is needed. See General Comments 2.

Component 4. Establish Core Information Management Capacities

- All the commitments seem eligible, but more detail is needed for each. See General Comments 2.

Component 5. Establish Core Legal Capacity

- All the commitments seem eligible, but more detail is needed for each.

Component 6. Establish Core Technical and Analytical Capacities

- All the commitments seem eligible, but more detail is needed for each. See General Comments 2.

Component 7. Tribal Waste Management Capacity

- All the commitments seem eligible, but more detail is needed for each. See General Comments 2.

Commitment 7.1 Cedarville provided the EPA an ISWMP as recently as 2012. However, we cannot verify it was approved by Council. We appreciate the Rancheria's resolve to overhaul their current Plan and get it approved by Council. Please schedule work on the ISWMP very early in the grant cycle. The commitment should indicate when a new draft will be completed, when a final ISWMP will be completed, and when the Plan will be approved by Council. The Region 9 Tribal Solid Waste Team is available to provide technical assistance and a comprehensive review of the ISWMP.

Commitment 7.2 This task seems to have been completed under the existing work plan. If that's the case, remove it from this proposed work plan.

Commitment 7.3 There is way too little detail here. Please see General Comments 2.

Commitment 7.4 A waste stream assessment could help inform Cedarville's ISWMP. We recommend scheduling the assessment early in the grant cycle, but not if the task would seriously delay completion of a new ISWMP.

Commitment 7.4 The enforcement and compliance strategy should be developed in conjunction with overhauling the ISWMP and be included in the text of the plan.